

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

GLORIA DAVIS,
Plaintiff,
v.

KAISER FOUNDATION HOSPITALS,
Defendant.

Case No. [19-cv-05866-HSG](#)

ORDER TO SHOW CAUSE

Plaintiff Gloria Davis filed this employment discrimination action on September 20, 2019. *See* Dkt. No. 1. The Court set a case management conference on January 14, 2020, at 2:00 p.m. *See* Dkt. No. 7. However, Plaintiff did not appear at the hearing, and Defendants have not yet appeared in this case. *See* Dkt. No. 11.

During the case management conference, the Court intended to discuss with Plaintiff whether Defendants have been properly served. Federal Rule of Civil Procedure 4(m) provides that if a defendant is not served within 90 days after the complaint is filed, the Court, on its own after notice to the plaintiff, “must dismiss the action without prejudice,” or order that service be made within a specified time. Fed. R. Civ. P. 4(m). There is nothing on the docket to indicate that Defendants were properly served. To the contrary, the Proof of Service that Plaintiff filed with her “Amendment to Complaint” suggests that Plaintiff has not served any of the individual Defendants and did not serve the agents for service of process for Defendants Kaiser Foundation Hospitals and SEIU UHW Union. *See* Dkt. No. 10 at 3.


In filing this action, Plaintiff assumed the responsibility of serving the parties, appearing at all hearings, and prosecuting her case. Accordingly, Plaintiff is **ORDERED TO SHOW CAUSE** why this case should not be dismissed without prejudice for failure to prosecute. Plaintiff shall

1 file a statement of no more than two pages by February 14, 2020.

2 Plaintiff is encouraged to seek assistance at the Legal Help Center, which provides free
3 information and limited-scope legal assistance to pro se litigants. More information about the
4 Legal Help Center is provided at <http://www.cand.uscourts.gov/legal-help>. Appointments may be
5 scheduled either over the phone at (415) 782-8982 or by email at
6 federalprobonoproject@sfbar.org.

7 **IT IS SO ORDERED.**

8 Dated: 1/16/2020

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10 HAYWOOD S. GILLIAM, JR.
11 United States District Judge
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